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Mr. Spiwak is an internationally recognized and cited authority regarding the legal and economic issues affecting regulated communications and energy industries. In addition to making numerous presentations before industry leaders and foreign officials, Mr. Spiwak has written numerous acclaimed articles addressing the complexity and variety of these issues. Recent articles include: *You Say ISO, I Say Transco, Let's Call the Whole Thing Off: Why Current Electric Utility "Unbundling" Initiatives Work Without Fundamental Change*, Phoenix Center Policy Paper Series No. 4 (January 1999) (also excerpted in March 15, 1999 issue of *Public Utilities Fortnightly*); *From International Competitive Carrier to the WTO: A Survey of the FCC's International Telecommunications Policy Initiatives 1985-1997*, 51 Fed. Comm. L. J. 111 (1998), Addendum, 51 Fed. Comm. L. J. 519 (1999); *Is Entry Into Telecoms The Right Strategy For Your Utility?* *Power Economics* (Dec. 1998); *FERC Merger Analysis Post-Order No. 888: Where do we go From Here?* Phoenix Center Policy Paper Series No. 3 (August 1998); *Reconcentration of Telecommunications Markets After the 1996 Act: Implications for Long-Term Market Performance (Second Edition)*, Phoenix Center Policy Paper Series No. 2 (July 1998); *Utility Entry Into Telecommunications: Exactly How Serious Are We?* Phoenix Center Policy Paper Series No. 1 (July 1998); *Three Reasons Why Utilities Need Telecommunications Expertise – Whether They Like it or Not*, *Infrastructure*, American Bar Association, Section of Public Utility Law (Spring 1998); *Antitrust, the "Public Interest" and Competition Policy: The Search for Meaningful Definitions in a Sea of Analytical Rhetoric*, *Antitrust Report* (Matthew Bender, December 1997); *Reconcentration of Telecommunications Markets After the 1996 Act: Implications for Long-Term Market Performance*, *Antitrust Report* (Matthew Bender, May 1997); and *What Hath Congress Wrought? Reorienting Economic Analysis of Telecommunications Markets After the 1996 Act*, *Antitrust Magazine* (American Bar Association, Spring 1997). Other topics Mr. Spiwak has commented upon include the effectiveness of the FCC's Program Access Rules to improve cable industry market performance (*Can Short-Term Limits on Strategic Vertical Restraints Improve Long-Term Cable Industry Market Performance?* (with James W. Olson), 13 *Cardozo Arts & Ent. L.J.* 283 (1995)), the economic inconsistencies of joint merger review between the SEC and FERC of public utility holding company mergers (*Expanding FERC's Jurisdiction to Review Utility Mergers*, 14 *Energy L.J.* 385 (1993)), and the continuing viability of the price squeeze doctrine in regulated energy markets (*Is the Price Squeeze Doctrine Still Viable in Fully-Regulated Energy Markets?* 14 *Energy L.J.* 175 (1993)). Mr. Spiwak also helped edit and compose the energy section of the American Bar Association's *Antitrust Law Developments* (3d ed. 1992). Finally, Mr. Spiwak's forthcoming book (with Mark Nafel) entitled *United States, European Union and International Telecommunications Law and Regulatory Policy* will be published Hart Publishing in Summer 2000.

Prior to joining the Phoenix Center, Mr. Spiwak was a Senior Attorney with the Competition Division in the FCC's Office of General Counsel from 1994-1998. While with the Competition Division, Mr. Spiwak provided the Commission and its individual bureaus with legal and economic advice regarding domestic and international inter-exchange, local exchange, delivered video programming, broadcast, wireless and satellite policies. While with the Competition Division, Mr. Spiwak was responsible for, *inter alia*, providing the primary legal and economic analysis for the FCC's landmark decision to de-regulate AT&T and – given his substantial public (Senior Attorney, Federal Energy Regulatory Commission, 1992-1994) and private sector experience in the electric utility industry (including serving as the vice-chair of the Federal Energy Bar Association's antitrust committee between 1993 and 1994) – for drafting the Commission's rules regarding public utility entry into telecommunications and information services markets.

Mr. Spiwak received his B.A. with special honors from the George Washington University in 1986 (Special Honors, Middle Eastern Studies) and his J.D. from the Benjamin N. Cardozo School of Law in 1989, where he was the international law editor of the Cardozo Moot Court Board.

Mr. Spiwak is a native of Washington, D.C. He and his wife and baby daughter live in North Bethesda, MD.